§ 509-j. Compliance required. (a) Every motor carrier, its officers, agents, representatives, and employees responsible for the management, maintenance, operation or driving of motor vehicles, or the hiring, supervising, training, assigning, or dispatching of drivers, shall be instructed in and comply with this article.

(b) Nothing contained herein shall prevent a motor carrier or political subdivision from imposing qualifications that are more stringent than those contained in this article or from disqualifying a person who has been issued a conditional or restricted use license pursuant to the provisions of article twenty-one or twenty-one-A of this chapter.

(c) Every motor carrier shall submit an affidavit to the commissioner attesting to compliance with this article. Such affidavit shall be submitted annually, in a manner prescribed by regulations of the commissioner, and shall include as an attachment thereto a copy of the report required by subdivision seven of section five hundred nine-d of this chapter.

(d) Notwithstanding any provision of any other article of this law, where an affidavit is not submitted pursuant to this section, the commissioner may, in his discretion, suspend the registration of the vehicle or the vehicles or deny registration or renewal to the vehicle or vehicles owned or operated by the motor carrier or suspend the motor carrier's privilege of operation in this state. Such suspension or denial shall only remain in effect as long as the motor carrier fails to submit such affidavit.

(e) The commissioner or any person deputized by the commissioner, may require any motor carrier to pay to the people of this state a civil penalty, if after the motor carrier has had an opportunity to be heard, the commissioner finds that the motor carrier has violated any provision of this article or regulations promulgated therein, or has made any false statement or misrepresentation on any affidavit of compliance filed with the commissioner or with respect to violations of paragraphs (i) and (ii) of subdivision one, paragraphs (a) and (b) of subdivision two, and subdivisions three, four and five of section five hundred nine-d, section five hundred nine-g, section five hundred nine-h and subdivision two of section five hundred nine-l of this article the commissioner may in lieu of or in addition to a civil penalty suspend

all of a motor carrier's registrations. Any civil penalty assessed for a first violation shall not be less than five hundred dollars nor greater than two thousand five hundred dollars for each violation, false statement or representation found to have been made or committed, and for a second or subsequent violation, not arising out of the same incident, all of which were committed within a period of eighteen months, shall not be less than five hundred dollars nor greater than five thousand dollars for each violation, false statement or representation found to have been made or committed. If the registrant fails to pay such penalty within twenty days after the mailing of such order, postage prepaid, certified and addressed to the last known place of business of such registrant, unless such order is stayed by an order of a court of competent jurisdiction, the commissioner may revoke the vehicle registrations or out of state registration privilege of operation in the state of such motor carrier or may suspend the same for such periods as the commissioner may determine. Civil penalties assessed under this subdivision shall be paid to the commissioner for deposit into the state treasury, and unpaid civil penalties may be recovered by the commissioner in a civil action in the name of the commissioner.

(f) As an alternative to civil action under subdivision (e) of this section and provided that no proceeding for judicial review shall then be pending and the time for initiation of such proceeding shall have expired, the commissioner may file with the county clerk of the county in which the registrant is located a final order of the commissioner containing the amount of the penalty assessed. The filing of such final order shall have the same force and effect as a judgment duly docketed in the office of a county clerk and may be enforced in the same manner and with the same effect as that provided by law.

(g) Upon the suspension of a vehicle registration pursuant to subdivision (d) or (e) of this section, the commissioner shall have the authority to deny a registration or renewal application to any other person for the same vehicle and may deny a registration or renewal application for any other motor vehicle registered in the name of the applicant where the commissioner has reasonable grounds to believe that such registration or renewal will have the effect of defeating the purposes of this article. Such suspension or denial shall remain in effect only as long as the suspension entered pursuant to subdivision

(d) or (e) of this section remains in effect.